

ADVISORY OPINION 93-006

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

March 16, 1993

Mr. Jim King
Jim King For Alderman
Brent Smith, CPA, Treasurer
3400 Dutchmans Lane
Louisville, Kentucky 40205

Dear Mr. King:

Thank you for contacting the Registry. Your question asks:

May a candidate, who is a sole owner and shareholder of a personal service corporation, accept contributions or in-kind contributions from his or her personal service corporation?

The short answer to your question is yes. You correctly note that in Gable v. Jones, KREF 91-128, the Registry held that the type of contribution you wish to make is a lawful contribution to your campaign. Obviously, contributions of this sort must be reported along with all other contributions to your campaign.

A word of caution: Gable V. Jones is currently on appeal to the Kentucky Court of Appeals. While this advisory opinion would protect the activity you wish to engage in for the current election cycle, an adverse ruling from the Court of Appeals could affect your corporation's ability to give to your campaign should you become a candidate for the 1993 general election.

This opinion is based upon the course of action outlined in your letter. If you should have any more questions, please give us a call. Thank you.

Sincerely,

Timothy E. Shull
General Counsel

TES/dt